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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,241	01/19/2006	Walter Kuhn	50160	9150

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EXAMINER	
GRESO, AARON J	

ART UNIT	PAPER NUMBER
1726	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/565,241	KUHN ET AL.	
	Examiner	Art Unit	
	AARON GRESO	1726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 January 2011*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,7,9-11,13-18 and 24-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-2, 4-5, 7, 9-11, 13-18, 24-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 January 2011 has been entered.

2. Any rejections and/or objections made in the previous Office Action and not repeated below, are hereby withdrawn.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action. References not previously cited are found per the attached PTO-892 for this Office Action. References previously cited are found in a PTO-892 of a previous Office Action.

4. An address to the Applicant's arguments is provided after addressing the Claims. Claims 1-2, 4-5, 7, 9-11, 13-18, 24-27 are currently pending in this Application.

5. Examiner Note; Claim 1 interpretation:

The mixture is taken as comprising a required amount having no more than 20% trans-3,3,5-trimethylcyclohexyl ester and an unspecified amount of cis-3,3,5-

trimethylcyclohexyl ester; the proportion {taken as an amount relative to the mixture} of cis material being greater than the proportion amount of trans ester. The Claim 1 limitation amount of no more than 20% trans-3,3,5-trimethylcyclohexyl ester is taken as encompassing the amount of 0%. See following per Arguments.

Claim Rejections - 35 USC § 112

6. Claim 1 and its dependent Claims 2, 4-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 1 recites a mixture comprising one or more cis and trans materials with amounts provided for each material that add up to 100 percent. It is not clear as to the amount of the other materials comprised would be expected to be accounted for when the total mass of the mixture encompasses more than the 3,3,5-trimethylcyclohexyl esters indicated in the Claim. It is not known whether the percentages apply to only the 3,3,5-trimethylcyclohexyl ester amounts or to the entire mixture that comprises the 3,3,5-trimethylcyclohexyl esters.

8. Appropriate action is required.

9. To further prosecution, total mass of the mixture is based upon the amounts of only the 3,3,5-trimethylcyclohexyl esters in the mixture comprising 3,3,5-trimethylcyclohexyl esters.

Claim Rejections - 35 USC § 102

10. **Claims 1, 2, 4, and 5** are rejected under 35 U.S.C. 102 (b) as being anticipated by or in the alternative, as obvious over Behura et al. (Current Science Vol 83 no 11 pp. 1312-1313, 2002) as evidenced by Chowdhury et al. Bangladesh J. Sci. Ind. Res. 43 (2) pp 259-266 2008) and as further evidenced by McClatchey (Economic Botany vol 47 no 3 pp 291-291 1993 page 291 Introduction).

As to Claim 1:

The reference indicates that the essential oil of Curcuma longa, acquired from the Rhizome of C. longa, is employed for curing pimples and for the whitening of skin and is also indicated to exhibit a camphor odor (col 1 paragraphs 1 and 2 page 1312).

As compositions of the oil material are known in the are to inherently comprise cis 3,3,5-trimethylcyclohexyl acetate {see informational reference: Chowdhury et al. Bangladesh J. Sci. Ind. Res. 43 (2) pp 259-266 2008, Table II, page 264, item 18, and page 259 col 1, 1st paragraph, the amount of the acetate indicated as being 0.55% as determined by a mass spectrometer (page 260-261 bridging paragraph)}; the material is taken to have been used or known in the art more than one year prior to the Applicants' filing, and that Behura et al. disclose that the composition inherently comprises 0.55% {taken as mass} of a cis 3,3,5-trimethylcyclohexyl acetate.

When 0.55% is taken as the amount of the 3,3,5-trimethylcyclohexyl ester material present because Behura et al. {as evidenced by Chowdhury et al Table II item 18; the red version inherently taken as providing for the orange article of medicinal commerce as evidenced by McClatchey col 1 p 291} does not indicate whether the

material comprises a trans component or not, the material is taken to, at most, comprise a trans component of 3,3,5-trimethyl cyclohexyl acetate less than the corresponding cis chemical; including the amount of zero trans 3,3,5-trimethyl cyclohexyl acetate.

The reference discloses or inherently discloses a mixture composition with a cis 3,3,5-trimethyl cyclohexyl acetate amount, as analyzed by a mass basis, being 100%; the amount of trans material taken and 0% as analyzed by mass basis; the weight basis being taken as inherent as a mass is analyzed; a mass basis being required by the limitations of Claim 1.

The composition is silent as to the percentage of cis and trans material based upon a total mass of the mixture.

On the other hand, as Behura et al. does not indicate whether the material comprises a trans component or not., the material is taken to comprise a trans component of 3,3,5-trimethyl cyclohexyl acetate less than the corresponding cis chemical; including the amount of zero.

Further, when the amount of a material is 100 percent, the amount would inherently be 100% by weight, or moles or volume.

The reference discloses or inherently discloses the limitations of Claim 1.

Further as to Claim 2:

As the reference does not disclose the amount of a Claimed trans material, a trans material is not taken to be present in an amount that is measured; that amount being less than 0.005 percent {an amount that would be expected to be rounded up to 0.01 percent}; only 2 significant digits past the zero being reported by Behura et al.

However, as the amount of trans material, per instant Claim 1, is not indicated to be required to more than zero, and when the amount of trans material is zero, the amount of the cis material is at least twice as high as the trans material.

Further as to Claim 4:

As the material is indicated to be comprise 1,8-cineole as a 28 percent component (Behura et al. Table 1 page 1312), and as 1,8-comeole is indicated to make odors fresher {see informational reference: 1,8-cineole, The Good Scents Company page 3}, it would be expected that the composition disclosed would make materials, it is added to, comprise a fresher enabling substance than without the material for, example, a composition for treating whiteness of skin, when compared to a skin treatment composition that does not comprise the mixture and otherwise not comprising the ester containing oil composition.

As to Claim 5:

The oil composition, disclosed by Behura et al., as evidenced by Chowdhury et al., (Table II page 264) comprises at least one other fragrance substance (Table 1 page 1312).

The reference, as evidenced, discloses the limitation of the applicable Claims.

11. **Claims 1-2, 4-5** rejected under 35 U.S.C. 102(b) as being anticipated by Eliel et al. (Journal of Organic Chemistry 1970, Vol 35 (8) pp 2716-2722) as evidenced by Smell Database (Smell Database Pyridine 25 October 1995) and The Good Scents Company (3,3,5-Trimethylcyclohexanol, 116-02-9 product data sheet).

As to Claims 1 and 2:

Eliel et al. discloses making cis 3,3,5-trimethylcyclohexyl acetate (p 2722 1st full paragraph) in an amount of 89% {**addressing Claim 1**}.

The mixture is not indicated to comprise trans 3,3,5-trimethylcyclohexyl acetate; the composition taken as inherently providing for a mixture proportion of cis material being more than the proportion of trans material.

In the case of Claim 2, the claim requires that the amount of cis material be present in the amount of at least twice as high as the trans material. Because Claim 2 is dependent upon Claim 1, the amount of cis material is to also be present in an amount greater than the amount of trans material. In this case, when the amount of trans material present is 0%, any proportion {taken as a proportion to the mixture} of cis material present, being greater than 0% as required by Claim 1, is at least twice as high as that of trans material when the amount of trans is 0%; the mixture therefore would be expected to comprise a cis material proportion in the amount of at least 80% when a mixture with a proportion of trans material is 0% {**addressing Claim 2**}.

Further as to Claims 4-5:

The process inherently add cis material to a composition as it reacts from cis 3,3,5-trimethylcyclohexyanol precursor in the mixture with pyridine (ibid.); when 3,3,5-trimethylcyclohexyanol precursor is present with the cis ester, the composition comprises the at least one other fragrance substance as evidenced by US 2003/0199412 (page 2 [0022]) for 3,3,5-trimethylcyclohexyanol {**addressing Claim 5**}.

In addition, as the pyridine in the composition, comprises a burnt odor note {as evidenced by Smell Database, Pyridine Smell Category) that is also associated with sour, putrid and fishy descriptors (ibid "smells like" area); the addition of the cis material would inherently add the cis material note {taken as being inherently fresher or fruiter) to that of the pyridine when compared without the cis material {**addressing Claims 4 and further addressing Claim 5**}.

Claim Rejections - 35 USC § 103

12. **Claims 7 and 9-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Eliel et al. (Journal of Organic Chemistry 1970, Vol 35 (8) pp 2716-2722) as evidenced by Smell Database (Smell Database Pyridine 25 October 1995) and The Good Scents Company (Homomenthol 3,3,5-Trimethylcyclohexanol, 116-02-9 product data sheet) as applied to Claims 1-2, 4-5 above.

Although the reaction produces the cis-3,3,5-trimethylcyclohexyl acetate is added to the composition with pyridine, the reference is silent as to making a cis-3,3,5-trimethylcyclohexyl propionoate.

On the other hand, in regard to Figure 1 below: Claims 7, 9-11, 13-18 are rejected under 35 U.S.C. 103 as obvious in accord with MPEP 2144.09 regarding Homology and Isomerism which states:

> "Compounds which are position isomers (compounds having the same radicals in physically different positions on the same nucleus) or homologs (compounds differing regularly by the successive addition of the same chemical group, e.g., by -CH2- groups) are generally of sufficiently close structural similarity that there is a presumed expectation that such compounds possess similar properties".

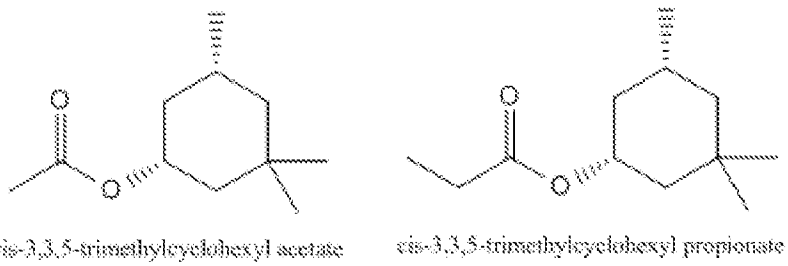

Figure 1. Structures of cis-3,3,5-trimethylcyclohexyl acetate and propionate—per Chimera Ultra 12.0.

Based upon the amount of homologous acetate formed (p 2722 1st full paragraph), the amount of the composition formed from the cis trimethylcyclohexanol, the amount of the trimethyl cyclohexyl ester formed in the manner described would be expected to be between 0.01 to 90% of the composition when ester is made with a homolog of the acidic acid reactant {this is taken as being a sensoral amount; **addressing Claims 7**, **and Claims 9-10 in part**}; as the modification would be expected to produce a newly made material, the material is taken as providing for a fresh scent {**further addressing Claim 9 and Claims 10-11 in part**}.

As the process is intended to change or modify the cis trimethylcyclohexanol fragrance material by reaction, the reference is taken as performing the identical steps to modify the precursor material to a homolog of the trimethylcyclohexyl acetate ester.

Further as to Claims 10-11:

As the oganoleptic note for 3,3,5-trimethylcyclohexanol is indicated to have a minty note {as evidenced by The Good Scents Company, Homomenthol 3,3,5-Trimethylcyclohexanol, 116-02-9 product data sheet, organoleptics section}, the reaction would be expected to modify the scent when modifying or reacting the 3,3,5-

Trimethylcyclohexanol with a minty scent, to form an ester that would be expected to have an effectively different scent as an ester in stead of an alcohol {**addressing Claims 10-11**}.

It would have been obvious to employ cis-3,3,5-trimethylcyclohexyl propionate in the same manner as taught by Eliel et al., as a similar homolog of cis-3,3,5-trimethylcyclohexyl acetate, for employed for the same or similar application with the same or similar results with a reasonable expectation of success.

13. Claims 1-2, 4-5, 7, 9-11, 13-18, 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rohde et al. (WO 01/43784).

Rohde et al. (Page 4 Lines 10-31 and Page 5 Lines 1-25) teach a genus of compounds that include chemicals of the instant Claims 1-3, 5-8, 7-10 and 19-23. When the genus includes R^4 and R^9 (when R^9 is substituted for R^3, thus allowing R^{10} to be attached to R^9 as a methyl group) where together R^4 and R^9 represent a methylene bridge that closes a hexyl ring; while allowing for R^{10} to be attached to R^9 as a methyl group in a 5-position on the hexyl ring; when R^6 and R^7 are methyl groups on the 3 position on the hexyl ring; and when R^1 (which can be an alkyl radical containing from 1-4 carbon atoms and can include a double bond) comprises 2 carbons in a chain with the last carbon containing attached to 3 hydrogens; then 3,3,5-Trimethylcyclohexy propionate is envisioned.

The properties of the materials are indicated to apply to all isomeric forms of the materials including enantiomers or diastereomers (page 10 lines 23-24) {taken as including cis and trans isomers}.

Further as to Claims 1-2, 4-5, 7, 9-11, 13-18:

Although Rohde et al. (Page 4 Lines 10-31 and Page 5 Lines 1-25) does not impose the requirement that the ester be configured either as cis or trans, “S” or “R”, nor require any mixture combination or chemical variation; it would be obvious to use any configuration of 3,3,5-Trimethylcyclohexylesters to mix with other fragrance materials as taught by Rohde et al.

When only one cis trimethylcyclohexyl ester material is employed in pure form, as suggested by (page 11 lines 11-12), as indicated in Table 1 (page 30 last two entries), **Claims 1 and 7 and their dependent Claims 2, 4-5, 9-11, 13-18 are further met when no trans material is present**.

The compositions are to comprise 0.01 to 100 percent by weight of the ester material (page 11 lines 25-26) and are indicated to be combined with single fragrance ingredients in amounts of between 0.01 and 99% (page 20 lines 14-15) and ester material is indicated to be employed in pure form (page 11 lines 11-12). The range reading on the amount of the applicable instant Claim 1 and 7, and also to Claims 24, 26 and 27 {**addressing Claims 24, 26 and 27**} when a pure cis 3,3,5-Trimethylcyclohexy is employed.

The material is added to enhance fragrances (Page 39 Example 13) such that the 3,3,5-Trimethylcyclohexy propionate is present in a perfume oil with 3.75 percent of

the total fragrance composition being 3,3,5-Trimethylcyclohexy ester {**addressing Claim 7**}.

The 3,3,5-Trimethylcyclohexy material is indicated to be added with grapefruit oil, lime oil, cedarwood oil, sandlewood oil and juniperberry oil (page 12 lines 13, 17, 23, 30-31 and page 13 lines 2-3); these materials being taken as fruity or woody {**further addressing Claims 13-18**}.

The demonstration for a genus chemical by the reference would be expected to apply to other chemicals in the genus; substitution of one genus chemical for another in the same application being obvious. Case law holds that the mere substitution of an equivalent (something equal in value or meaning, as taught by analogous prior art) is not an act of invention; where equivalency is known to the prior art, the substitution of one equivalent for another is not patentable. See In re Ruff 118 USPQ 343 (CCPA 1958). Other chemicals in the genus, besides propionate {**addressing Claim 13**} indicated above, are: isobutyrate {**addressing Claim 14**}, butyrate {addressing Claim 15}, tiglate {addressing Claim 16}, crotonate {**addressing Claim 17**}, and 3-methyl-2-butenoate {**addressing Claim 18**}, that are indicated in instant Claim 1 {additional examples provided in Rode et al. Table 1 page 30}.

The reference indicates that mixtures of the 3,3,5-trimethylcyclohexyl esters are employed in mixtures with each other (page 11 lines 12-13). The reference further indicates that

When the amount is at least 99% in a mixture with another single fragrance ingredient (page 20 lines 14-15), and when the cis-3,3,5-trimethylcyclohexyl ester

is100% or pure, is combined with another 3,3,5-trimethylcyclohexyl ester, taken as a trans taken as a 3,3,5-trimethylcyclohexyl ester, in preferred amount of 0.5% as taught by the reference, the composition would be expected to comprise about 99% of a cis ester composition that is diluted with 0.5% of trans ester; the total amount remaining as about 99% of the composition (100*99.5/100.5 = 99.005%) when taken with the other amount of fragrance material as 1% {**addressing Claim 25**}.

The reference does not specifically indicate an example disclosing each limitation for each Claim.

On the other hand, with the references disclosure, it would have been obvious to choose any combination of materials as disclosed and further as to apply the materials in the composition and methods taught by the reference.

The specific combination of features claimed is disclosed within the broad genera of active materials and polymeric substances taught by the reference but such picking and choosing within a number of variables does not necessarily give rise to anticipation. Corning Glass Works v. Sumitomo Elec., 868 F.2d 1251, 1262 (Fed. Circ. 1989).

Where, as here, the reference does not provide any motivation to select this specific combination of variables, anticipation can not be found. That being said, however, it must be remembered that "[w]hen a patent simply arranges old elements with each performing the same function it had been known to perform and yields no more than one would expect from such an arrangement, the composition is obvious". KSR v. Teleflex, 127 S.Ct.1727, 1740 (2007) (quoting Sakraida v. A.G. Pro, 425 U.S. 273, 282 (1976)). "[When the question is whether a paten claiming the combination of

elements of prior art is obvious", the relevant question is "whether the improvement is more than the predictable use of the prior art elements according to their established functions." (*id.*). Addressing the issue of obviousness, the Supreme Court noted that the analysis under 35 USC 103 "need not seek out precise teachings directed to the specific subject matter of the challenged claim, for a court can take account of the inferences and creative steps that a person of ordinary skill in the art would employ." KSR v. Teleflex, 127 S. Ct. 1727,1741 (2007). The Court emphasized that "[a] person of ordinary skill is . . . a person of ordinary creativity not an automation." *Id.* at 1742.

In addition, where sole distinction set out in claims over prior art is in printed matter, there being no new feature of physical structure and no new relation of printed matter to physical structure, such claims may not be allowed; it is only where claims define either new features of structure or new relations of printed matter to structure, or both, which new features or new relations give rise to some new and useful function, effect, or result, that claims may be allowed; particular branch of art considered does not change these principles.@ *Exparife Gwinn* 112 *USPQ* 433. As the compositions are obvious, and the instructions do not give rise to a new and useful function, effect or result, they do not contribute a patentable difference to applicant's invention.

It would have been obvious to one of ordinary skill in the art at the time of the invention, to have employed the teaching and examples of **Rhode et al.** and to choose any combination of materials as disclosed and further as to apply the materials in the composition and methods taught by the reference.

Response to Arguments

14. Applicant's arguments with respect to Claims 1-2, 4-5, 7, 9-11, 13-18 have been considered but are not all convincing. However, Rejections over Eliel et al. in regard to Claims 13-18, in the Office Action of 01 December 2010, have been withdrawn.

15. In regard to Applicants argument regarding amounts of materials pertaining to Claim 1 and its dependent Claims 2, 4-5 {page 7 of 14} per rejections over Eliel et al.; Applicant argues:

16. That a mixture is required to have one or more trans-3,3,5-trimethylcyclohexyl ester when the amount of the one or more trans material or materials is to be no more than 20% by weight. Applicant further indicates (page 9 of 14, 1st partial paragraph) that "If the amount of the trans isomer is 0 then the amount of the cis isomer must also be 0 since basic math teaches 0 x 2 = 0" as applied to instant Claim 2.

17.

18. In response, the mixture is taken as comprising a required amount having no more than 20% trans-3,3,5-trimethylcyclohexyl ester and an unspecified amount of cis-3,3,5-trimethylcyclohexyl ester; the proportion {taken as an amount relative to the mixture} of cis material being greater than the proportion amount of trans ester. The Claim 1 limitation amount of no more than 20% trans-3,3,5-trimethylcyclohexyl ester is taken as encompassing the amount of 0%.

19. In addition, when one cis ester of Claim 1 is present, it would inherently comprise at least 80% of the cis-3,3,5-trimethylcyclohexyl ester of the one cis material required.

20. Further, as the Claim 1 composition comprises materials, a mixture is accommodated when amounts of any other material is employed, as long as a required cis material amount is in the mixture in a quantity that is greater than the amount of trans material; in this case, the amount of cis material required is greater than 0%.

21. In the case of Claim 2, the claim requires that the amount of cis material be present in the amount of at least twice as high as the trans material. Because Claim 2 is dependent upon Claim 1, the amount of cis material is to also be present in an amount greater than the amount of trans material. In this case, when the amount of trans material present is 0%, any proportion {taken as a proportion to the mixture} of cis material present, being greater than 0% as required by Claim 1, is at least twice as high as that of trans material when the amount of trans is 0%; the mixture therefore would be expected to comprise a cis material proportion in the amount of at least 80% and a mixture with a proportion of trans material is 0%.

22. In regard to arguments regarding Claims 9-11, 13-18:

23. By reacting the fragrance material 3,3,5-cyclohexanol to form a cyclohexyl ester, the composition method provides a manner in which to modify the sent of the fragrant 3,3,5-cyclohexanol by way of transforming the chemical.

24. Applicant further argues that rejections under Behura et al. as evidenced by Chowdhury et al. do not suggest a mixture having a fresher or fruity scent as in claim for or a mixture per claims 1 and 4-5 {pages 11-13}; the amount provided at the location indicated in the rejections addressed above {item 10 Claim 5 (Chowdhury et al. Table II page 264)}.

25. The freshness of the material, when added to a composition, is addressed in the rejections above {item10 Claims 4-5).

26. The amount of the trans material is discussed above in regard to Claim Interpretation above {item 5}.

27. The rejections are held.

Examiner Contact Information

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to AARON GRESO whose telephone number is (571)270-7337. The Examiner can normally be reached on M-F 0730-1700.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Patrick Ryan can be reached on 571 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron J. Greso/

/Patrick Joseph Ryan/
Supervisory Patent Examiner, Art Unit 1726